

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MATTHEW WALTON,

CASE NO. 3:21 CV 168

Plaintiff,

v.

JUDGE JAMES R. KNEPP II

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**MEMORANDUM OPINION AND
ORDER**

This matter is before the Court upon the Report and Recommendation (“R&R”) of Magistrate Judge Thomas M. Parker that the Court deny Plaintiff Matthew Walton’s Motion to Proceed *In Forma Pauperis* (Doc. 2) and require Plaintiff to pay the filing fee to proceed. (Doc. 5).

Under the relevant statute:

Within fourteen days of being served with a copy [of a Magistrate Judge’s R&R], any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(2). The failure to file timely written objections to a Magistrate Judge’s R&R constitutes a waiver of *de novo* review by the district court of any issues covered in the R&R. *Thomas v. Arn*, 728 F.2d 813, 814-15 (6th Cir. 1984); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

In this case, the fourteen day time period has passed and no objections have been filed.

Despite the lack of objections, the Court has reviewed Judge Parker’s R&R, and agrees with the findings and recommendation therein. Therefore, the Court ADOPTS Judge Parker’s

R&R (Doc. 5) as the Order of this Court and DENIES Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. 2).

Plaintiff is hereby ORDERED to pay the filing fee of \$402.00 within 30 days of the date of this Order. Failure to pay the filing fee will result in this case being dismissed without prejudice for want of prosecution.

IT IS SO ORDERED.

s/ James R. Knepp II
UNITED STATES DISTRICT JUDGE